

## REMARKS

Receipt of the Office Action of May 14, 2004 is gratefully acknowledged.

Claims 1-8 are pending. These have been rejected as follows: 1) claims 5 and 5 as indefinite; 2) claims 1-3 under 35 U.S.C. § 101 "as claiming the same invention as that of claim 1 of prior U.S. patent no. 6,691,583; and 3) claims 4-8 under the judicially created doctrine of obviousness-type double patenting over claims 21-25 of U.S. Patent No. 6,691,583." In addition, claims 3 and 4 are objected to because of several informalities.

Regarding the objection, the examiner has suggested several amendments. These amendments have been adapted thereby obviating the objection.

Regarding 1), both claims 5 and 6 have been amended so that there is antecedent basis for "the vibrator."

Regarding 2), this rejection is respectfully traversed.

For this rejection to hold, the rejected claims must be identical with the patented claims. Clearly they are not so that this rejection should be withdrawn.

Regarding 3), a terminal disclaimer is being filed herewith thereby obviating this rejection.

U.S. Pat. Appl. 10/748,147

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 1-8 found allowable.

Respectfully submitted,

BACON & THOMAS, PLLC

Date: August 16, 2004

A handwritten signature in black ink, appearing to read 'Felix J. D'Ambrosio', written in a cursive style.

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